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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

E-FILED - 9/20/06

PIYUSH SHAH,

Plaintiff,

v.

MICHAEL CHERTOFF, Secretary of the
 Department of Homeland Security;
 EMILIO T. GONZALEZ, Director, U.S.
 Citizenship and Immigration Services;
 ROBERT S. MUELLER, Director of
 Federal Bureau of Investigation,

Defendants.

No. C 06-4583-RMW

**STIPULATION TO DISMISS ACTION;
 AND ORDER**

Plaintiff, proceeding pro se, and defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the action because the petitioner's I-485 application for adjustment of status has been adjudicated.

Each of the parties shall bear their own costs and fees.

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2 Date: September 7, 2006

Respectfully submitted,

3 KEVIN V. RYAN
4 United States Attorney

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6 /s/
7 EDWARD A. OLSEN¹
8 Assistant United States Attorney
9 Attorneys for Defendants

10 Date: September 7, 2006

11 /s/
12 PIYUSH SHAH
13 *Pro Se*

14
15 **ORDER**

16 Pursuant to stipulation, IT IS SO ORDERED.

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18 Date: 9/20/06

/S/ RONALD M. WHYTE

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RONALD M. WHYTE
20 United States District Judge

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¹I, Edward A. Olsen, attest that both Piyush Shah and I have signed this stipulation to dismiss.

STIPULATION TO DISMISS; AND ORDER
C 06-4583-RMW